MANATT, PHELPS & PHILLIPS, LLP
CRAIG J. DE RECAT (Bar No. 105567)
E-mail: cderecat@manatt.com
MATTHEW P. KANNY (Bar No. 167118)
E-mail: mkanny@manatt.com
KATRINA DELA CRUZ (Bar No. 293398)
E-Mail: kdelacruz@manatt.com
11355 West Olympic Boulevard
Los Angeles, CA 90064-1614
Telephone: (310) 312-4000
Facsimile: (310) 312-4224

Attorneys for Plaintiff and Counter Defendants
WESTPORT INSURANCE CORPORATION
and SR CORPORATE SOLUTIONS AMERICA
HOLDING CORPORATION, *erroneously sued*
as SWISS RE CORPORATE SOLUTIONS
AMERICAS HOLDING CORPORATION

KLINEDINST PC
HEATHER L. ROSING (BAR NO. 183986)
E-mail: hrosing@klinedinstlaw.com
FRANK C. OLAH (BAR NO. 247843)
folah@klinedinstlaw.com
KLINEDINST PC
MICHAEL L. MARTUCCI (BAR NO. 279623)
mmartucci@klinedinstlaw.com
777 S. Figueroa St., Suite 2800
Los Angeles, California 90017
Telephone: (213) 406-1100
Facsimile: (213) 406-1101

Attorneys for Defendant
VASQUEZ ESTRADA & CONWAY LLP

CARLSON, CALLADINE & PETERSON LLP
DONALD W. CARLSON (BAR NO. 79258
E-mail: dcarlson@ccplaw.com
ROBERT M. PETERSON (BAR NO. 100084)
E-mail: rpeterson@ccplaw.com
ERIC K. IWASKI (BAR NO. 2556664)
E-mail: eiwasaki@ccplaw.com

Attorneys for Counter-Claimants VASQUEZ
ESTRADA & CONWAY LLP, MICHAEL A.
VASQUEZ, MICHAEL J. ESTRADA and
PATRICIA KANTOR CONWAY

STIPULATION AND [~~PROPOSED~~] ORDER TO CONTINUE THE MEDIATION DEADLINE
3:15-cv-05789-JST

KLINEDINST PC
777 S. FIGUEROA ST., SUITE 2800
LOS ANGELES, CALIFORNIA 90017

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

WESTPORT INSURANCE
CORPORATION, a Missouri
corporation,

          Plaintiff,

    v.

VASQUEZ, ESTRADA &
CONWAY LLP and DOES 1
through 10,

          Defendants.

Case No.   3:15-cv-05789-JST

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE THE
MEDIATION DEADLINE**

Courtroom: 9
Judge: Hon. Jon S. Tigar
Complaint Filed: October 5, 2015
Trial Date: July 24, 2017

Plaintiff WESTPORT INSURANCE CORPORATION ("Plaintiff"),

Defendant VASQUEZ, ESTRADA & CONWAY, LLP ("Defendant"), Counter-

Claimants VASQUEZ, ESTRADA & CONWAY, LLP, MICHAEL A.

VASQUEZ, MICHAEL J. ESTRADA and PATRICIA KANTOR CONWAY

("Counter-Claimants") and Counter-Defendant SR CORPORATE SOLUTIONS

AMERICA HOLDING CORPORATION ("Counter-Defendant") (Plaintiff,

Defendant, Counter-Claimants and Counter-Defendant shall be referred to as

"Parties"), by and through their counsel of record, hereby agree and stipulate to the

Court's continuance of the Mediation Completion Date as follows:

STIPULATION

    WHEREAS, on March 23, 2016, the Parties submitted their Joint Rule 26(f)

Report and Case Management Statement indicating they had agreed to participate

in private mediation on or before June 15, 2016;

    WHEREAS, on or about March 23, 2016, the Parties scheduled a full-day

private mediation with Hon. James L. Warren (Ret.) for June 1, 2016 at 9:30 a.m.

at JAMS' San Francisco Office;

    WHEREAS, on April 12, 2016, the Court issued its Scheduling Order

- 2 -

1 providing a mediation deadline of June 15, 2016;

2 **WHEREAS**, on or about May 18, 2016, the Parties met and conferred

3 telephonically regarding the mediation scheduled for June 1, 2016 and the Parties

4 agreed that it would not be practicable or productive to proceed with the expensive

5 mediation on June 1, 2016 given the state of discovery and the extremely large

6 document production being processed by the Parties.

7 **WHEREAS**, on or about May 20, 2016, pursuant to the Parties' meet and

8 confer efforts, the Parties all agreed to continue the private mediation with Judge

9 Warren to **August 4, 2016** at 9:30 a.m. at JAMS's San Francisco office, which is

10 the date on which the mediation remains set.

11 **WHEREAS**, the Parties, despite their diligent efforts, were not able to

12 mediate this matter before the June 15, 2016 mediation deadline, but will be able to

13 complete the mediation on August 4, 2016;

14 **WHEREAS**, a brief continuance of the aforementioned deadline is in the

15 Parties' best interest and in the best interest of the litigation, and would not

16 otherwise delay trial or any other currently-scheduled pre-trial dates;

17 **WHEREAS**, due to a miscommunication among the Parties, this Stipulation

18 and Proposed Order was not submitted to the Court before June 15, 2016, and for

19 this error the Parties apologize to the Court;

20 Based on the foregoing, IT IS HEREBY STIPULATED between the Parties

21 as follows:

22 **1.** The Mediation Deadline be continued to August 5, 2016, or to a date

23 soon thereafter that is convenient for this Court.

24 **IT IS SO STIPULATED.**

25 ///

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MANATT, PHELPS & PHILLIPS, LLP

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3   DATED: June 28, 2016   By: /s/ *Craig J. de Recat*

4   Craig J. de Recat, Esq.
                                        Matthew P. Kanny, Esq.
5   Katrina Dela Cruz, Esq.
                                        Attorneys for Plaintiff
6   WESTPORT INSURANCE
                                        CORPORATION and Counter-
7   Defendant SR CORPORATE
                                        SOLUTIONS AMERICA HOLDING
8   CORPORATION

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11   KLINEDINST PC

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13   DATED: June 28, 2016   By: /s/ *Frank C. Olah*

14   Frank C. Olah
                                        Attorneys for Defendant
15   VASQUEZ, ESTRADA & CONWAY
                                        LLP

16

17   CARLSON CALLADINE & PETERSON
      LLP
18

19

20   DATED: June 28, 2016   By: /s/ *Robert M. Peterson*

21   Robert M. Peterson
                                        Don Carlson
22   Attorneys for Counter-Claimants
                                        VASQUEZ ESTRADA & CONWAY
23   LLP, MICHAEL A. VASQUEZ,
                                        MICHAEL J. ESTRADA and
24   PATRICIA KANTOR CONWAY

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STIPULATION AND [PROPOSED] ORDER TO CONTINUE THE MEDIATION DEADLINE
3:15-cv-05789-JST

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LOS ANGELES, CALIFORNIA 90017

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ORDER

2   Pursuant to the foregoing Stipulation executed by the Parties, the Court

3 hereby orders as follows:

4   1. The Mediation Deadline is continued to August 5, 2016.

5   IT IS SO ORDERED.

6

7 DATED: June 28, 2016   By: _____

8   Hon. Jon S. Tigar
                                        Judge of the United States District Court

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STIPULATION AND [PROPOSED] ORDER TO CONTINUE THE MEDIATION DEADLINE
3:15-cv-05789-JST